

**AUBURN CITY COUNCIL MINUTES
REGULAR SESSION**

July 11, 2005

Closed Session 5:30 p.m.

Regular Session 6:00 p.m.

The Regular Session of the Auburn City Council was held in the Council Chamber, City Hall at 1225 Lincoln Way, Auburn, California with Mayor Alice Dowdin presiding and City Clerk Joseph G.R. Labrie recording the minutes.

CALL TO ORDER

ROLL CALL

Council Members Present: Kevin Hanley, Mike Holmes, Keith Nesbitt, Bob Snyder, Mayor Alice Dowdin

Council Members Absent: None

Staff Members Present: City Manager Bob Richardson
City Attorney Charles Wachob
Police Chief Nick Willick
Police Captain Valerie Harris
Fire Chief Mark D'Ambrogi
Public Works Director Charles Clark
Engineering Division Manager Bernie Schroeder
Finance Director Andy Heath

By **MOTION** adjourn to a Closed Session under Government Code section 54957.6: **Without Objection**

CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: David Mackowiak, Robert Richardson
Employee Organizations: All City employee groups

PLEDGE OF ALLEGIANCE

REPORT OUT OF CLOSED SESSION

No reportable action was taken.

**MAYOR’S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/
ANNOUNCEMENTS**

Mayor Dowdin announced that she had asked the City Manager to pursue the development of a Town Hall meeting to be conducted in conjunction with the Mosquito Abatement staff for the purposes of public awareness on protection against the West Nile Virus.

AGENDA APPROVAL

Approved without objection.

CONSENT CALENDAR

1. **Council Minutes**

By **MOTION** approve City Council Minutes of May 23, June 6, June 13, and June 27, 2005.

2. **Canyon Rim Subdivision Final Map Approval**

By **RESOLUTION 05-82** approve the Final Map for recording and authorize the execution of a Subdivision Agreement for the Canyon Rim Subdivision.

3. **Memorandum of Understanding Between the City of Auburn and Stationary Engineers Local 39**

By **RESOLUTION 05-83** approve the Memorandum of Understanding between the City of Auburn and Stationary Engineers Local 39, and authorize the City Manager to sign the document on behalf of the City.

4. **Auburn Multimodal Parking Facility Addition – Program Supplement Agreement**

By **RESOLUTON 05-84** authorize the Director of Public Works to execute the Program Supplement Agreement No. 003-M to the Administrating Agency – State Agreement No. 03-5077 in the amount of \$209,079 for the Auburn Multimodal Parking Facility Addition Project.

5. **Appointment to Telecommunications Commission**

By **RESOLUTION 05-85** appoint George T. Preston to the Telecommunications Commission.

***** End of Consent Calendar *****

By **MOTION** approve Consent Calendar. **MOTION: Hanley/Nesbitt/ Approved 5:0**

6. **Public Comment**

Ross Carpenter, President of the Old Town Preservation Society expressed his appreciation to the Council and to the many citizens who volunteered their services for Project Auburn.

Council Member Holmes said that, now that the warm weather has arrived, work on the restoration of the old Firehouse will resume soon.

REPORTS

7. **Informational Reports from Staff**

A. City Manager's Quarterly Report 2004-2005.

A written report was submitted; there was no discussion.

8. **City Council Committee Reports**

Council Member Hanley reported that the Pedestrian Master Plan Committee survey of the City is about 1/4th to 1/3rd complete so far. He asked residents of Auburn to notify the Committee about problem areas and dangerous locations with regard to the sidewalks.

Mr. Hanley said he would like to submit an application for consideration by the League of California Cities for the annual Helen Putnam Award, which is their highest award for excellence. One category is for Community Services that would be a perfect bid for Project Auburn. A second category is for Public Safety for the Shaded Fuel Break.

Bob Snyder passed out a graph, which showed the number of dead birds and their locations. So far, four of the birds tested positive for the West Nile Virus.

Keith Nesbitt said that at the Auburn Recreation District (ARD) board meeting the board discussed ways of expediting some of their projects in order to spend down the funds as requested by the City Council at their last meeting. He said the board is also considering raising the fees for users. Currently the ARD recovers only about 17% of their costs for maintaining their fields.

COUNCIL BUSINESS

9. Increased Noise Issue

By **MOTION** direct staff on how to proceed with this issue.

Police Captain Valerie Harris said this matter was brought to the Council in response to a citizen petition with some 150 signatures complaining about noise pollution within the City. She said the biggest concern was about the noise from tractor-trailers using their Jake brakes as they coast down Interstate 80. Motorcycles with modified mufflers pose another major problem. The areas most frequently mentioned are Interstate 80, State Highway 49, Auburn Ravine Road and Luther Road.

Captain Harris said the City has no jurisdiction over Interstate 80 or State Highway 49. The City could consult with the Highway Patrol and ask for more enforcement. Within the City limits the Auburn Police can enforce the vehicle code when vehicle muffler systems have been modified to be louder. Since so much of the traffic is transient enforcement is sometimes problematic. She said one solution would be to cite modified vehicles with a "fix it" ticket. Another would be to construct a sound wall, which would be effective but very expensive.

Old Town business owner Ross Carpenter said that sometimes motorcycles roaring up Sacramento Street set off car alarms.

Larry Steuchrath said he was surprised that the Police Department was not enforcing the existing laws. He presented another petition with 22 signatures asking that all existing laws be enforced.

Melodie Cooper of Auburn Harley-Davidson said that education is the best form of correction. Those who do not obey the law should be ticketed.

John Matos agreed and added that it is not the motorcycle but the rider.

Joanne Neft said that 80% to 90% of all trucks are quiet.

COUNCIL DISCUSSION

Kevin Hanley offered four suggestions:

1. Post signs at the entrances to the City that the noise laws will be enforced.
2. Purchase decibel meters
3. Enforce all noise and speed laws. Discuss the noise problem with motorcycle dealers and repair shops.
4. Work with other enforcement agencies.

Bob Snyder suggested that the City Manager develop a program for noise abatement and that he work with businesses to reclaim the quiet.

Keith Nesbitt agreed and added that most noise is user related. Noise levels should be related to disturbing the peace rather than to decibel levels. The Police Department should work with the Highway Patrol and try to have signs posted along Highway 80 forbidding the use of Jake brakes. The City should also explore areas for designated motorcycle parking and post signs there asking for quiet.

Mike Holmes agreed with posting signs on Interstate 80 forbidding the usage of the Jake breaks. He said we should start enforcing the laws immediately.

Mayor Dowdin said the laws should be enforced now. Noise is usually related to speed. The City should establish a task force to find out what other jurisdictions are doing and also to get feedback from truckers.

Kevin Hanley said we don't need a taskforce; our Police Department can handle it. They can talk to other police Departments to see what they do. We need action as soon as possible.

Mike Holmes said a task force means delay; we need immediate enforcement and, after a few months, ask for comments from the public.

Mayor Dowdin agreed about immediate enforcement for the short term, but said that a task force would best serve the long-term strategy. We need to be prudent in investigating this issue.

Bob Snyder suggested that the City Manager work with the Police Department and come up with a recommendation on how to implement the ideas presented.

Kevin Hanley said the Police Department should be in charge.

By **MOTION** direct Police Department to actively enforce the laws currently on the books regarding noise and speed violations. **MOTION: Dowdin/Nesbitt/Approved 5:0**

By **MOTION** direct Police Department to research and report to the City Council on the feasibility and cost of posting signs at major entrances to the City of Auburn to inform people that the City of Auburn will enforce all laws with regard to noise. **MOTION: Hanley/Holmes/Approved 5:0**

By **MOTION** direct Police Department visit motorcycle dealers and repair shops informing them that the City will enforcing these laws and to get their suggestions. **MOTION: Hanley/Nesbitt/Approved 5:0**

SUBSTITUTE MOTION: direct Police Department to research this issue with a variety of sources, including motorcycle dealers and repair shops, auto shops, schools and other businesses that engage with motorcycles, trucks and autos. **MOTION: Dowdin/Hanley/Approved 5:0**

By **MOTION** direct Police Department to conduct a regional outreach for the purposes of collecting additional information and, as the policy evolves, enforcement of the various noise measures that Auburn takes. **MOTION: Hanley/Nesbitt/Approved 5:0**

By **MOTION** direct staff to research and provide recommendations to the Council on how to implement placing Jake Brakes signs on Interstate 80 in the Auburn vicinity and their enforcement. **MOTION: Nesbitt/Hanley/ Approved 5:0**

By **MOTION** direct the City Manager and the Police Department to develop recommendations on how to tackle the Jake Brakes issue based on the research they have obtained. **MOTION: Dowdin/Hanley/Approved 5:0**

Mayor Dowdin said that, after the above has been calendared, she would like the City to reach out to all the affected community members, so they could attend the meeting and hear what the City is considering.

10. **Letter of Appreciation to Property Owners within the American River Canyon Shaded Fuel Break Project**

Fire Chief Mark D'Ambrogi said the education and outreach program really helped to change the mindset of people about their own fire safety. He thought it would be appropriate to send a letter of appreciation, signed by each Council Member, to the property owners who cooperated and worked with the Fire Department to reduce the amount of wood and brush fuel in the American River Canyon Shaded Fuel Break Project.

By **RESOLUTION 05-86** send a letter of appreciation signed by each Council member to property owners within the American River Canyon Shaded Fuel Break Project. **MOTION: Holmes/Hanley/Approved 5:0**

11. **Withdrawal from the State of California Vehicle License Fee Gap Loan Receivable Financing Program**

Finance Director Andy Heath said the Governor had already signed the budget, which includes early repayment of the full \$212,152.65 due the City's General fund. The City will receive the funds sometime during this new first quarter.

By **RESOLUTION 05-87** authorize the City Manager or his designee to rescind the Purchase and Sale Agreement and related documents with respect to the sale of the City's vehicle license fee receivable from the State if, and only if, the State includes as part of its Fiscal Year 2005-06 Budget full repayment of the vehicle license fee receivable.

MOTION: Holmes/Nesbitt/Approved 5:0

ADJOURNMENT at 8:16 p.m.

Alice Dowdin, Mayor

Joseph G.R. Labrie, City Clerk